

LOCAL LAW NO. 3 OF 2024

**AMENDING VILLAGE CODE CHAPTER 237 (“VEHICLES AND TRAFFIC”)
TO ADD A NEW ARTICLE VIII, RELATING TO THE IDLING OF MOTOR
VEHICLES IN THE VILLAGE OF WEST HAVERSTRAW**

Be it enacted by the Village Board of the Village of West Haverstraw that Chapter 237 (“Vehicles and Traffic”) of the Village Code of the Village of West Haverstraw, is hereby amended as follows:

Section 1: Chapter 237 (“Vehicles and Traffic”) of the Village Code shall be amended to add a new Article VIII relating to the idling of motor vehicles in the Village of West Haverstraw. As amended, Chapter 237, Article VIII shall read as follows:

Chapter 237 Vehicles and Traffic

Article VIII Vehicles Idling

§ 237-1 Legislative intent.

§ 237-2 Operation of motor vehicle; idling of engine restricted; signs.

§ 237-3 Exceptions.

§ 237-4 Penalties for offenses.

§ 237-1 Legislative intent.

The Village Board of the Village of West Haverstraw, by this Article, seeks to mitigate the adverse health and other environmental impacts caused by the unnecessary idling of motor vehicles both on and off the public roadways within the Village. The regulations embodied in this Article are intended to supplement and reinforce those which appear in the Sanitary Code of the County of Rockland, as enacted by the Board of Health of the Rockland County Health District pursuant to § 347 of the Public Health Law and as from time to time amended, and are not intended to be construed or enforced in a manner inconsistent therewith.

§ 237-2 Operation of motor vehicle; idling of engine restricted; signs.

- A. No person shall cause or permit the engine of a motor vehicle, except as otherwise permitted by § 237-3, to idle for longer than three consecutive minutes when the motor vehicle is not in motion.
- B. The Superintendent of Public Works shall be authorized to post signs at appropriate locations throughout the Village, including but not limited to locations for which the Village receives a substantial number of complaints of idling motor vehicles, relating to prohibited idling and the maximum penalty that may be imposed for a violation of this Article; *provided, however*, it shall not be a defense in any proceeding relating

to a violation of the restrictions on idling imposed by this Article that a sign authorized by this section was absent at the time of the violation.

§ 237-3 Exceptions.

The prohibitions of § 237-2 shall not apply when:

- (a) A vehicle, including a bus or truck, is forced to remain motionless because of the traffic conditions over which the operator thereof has no control.
- (b) Regulations adopted by Federal, State or local agencies having jurisdiction require the maintenance of a specific temperature for passenger comfort. The idling time specified in section 237-2 of this Article may be increased, but only to the extent necessary to comply with such regulations.
- (c) A diesel or nondiesel-fueled engine is being used to provide power for an auxiliary purpose, such as loading, discharging, mixing or processing cargo; controlling cargo temperature; construction; lumbering; oil or gas well servicing; farming; or when operation of the engine is required for the purpose of maintenance.
- (d) Fire, police and public utility trucks or other vehicles are performing emergency services.
- (e) A diesel-fueled truck is to remain motionless for a period exceeding two hours, and during which period the ambient temperature is continuously below 25°F.
- (f) A heavy-duty diesel vehicle, defined as one with a gross vehicle weight rating greater than 8,500 pounds, that is queued for, or is undergoing, a State authorized periodic or roadside diesel emissions inspection.
- (g) A hybrid electric vehicle -- defined as one that draws propulsion from both an internal combustion engine (or heat engine that uses combustible fuel) and energy storage device and employs a regenerative vehicle braking system that recovers waste energy to charge such energy storage device) -- idling for the purpose of providing energy for battery or other form of energy storage recharging.
- (h) Heavy-duty vehicles used for agricultural purposes on a farm.
- (i) Electric powered vehicles.

§ 237-4 Penalties for offenses.

Any person who violates this law shall be guilty of an offense, *namely*, a violation, punishable on conviction for a first offense by a fine not exceeding \$250; and for a second or subsequent offense, by a fine not exceeding \$1,000.

Section 2: This Local Law shall become effective upon filing with the Secretary of State.